

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

NICKOLAS GORDON  
KJELDERGAARD,

Plaintiff,

v.

EASMON, et al.,

Defendants.

No. 2:22-cv-01283-WBS-CKD

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 13, 2023, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has not filed objections to the findings and recommendations.

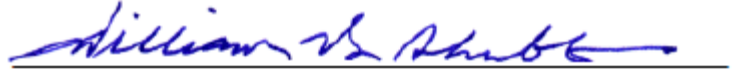
The court presumes that any findings of fact are correct. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the file, the court finds the findings and recommendations to be supported by the record

1 and by the magistrate judge's analysis.

2 Accordingly, IT IS HEREBY ORDERED that:

- 3 1. The findings and recommendations filed October 13, 2023, are adopted in full.
- 4 2. This action is dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).
- 5 3. The Clerk of Court is directed to close this case.

6 Dated: December 20, 2023

7   
8 WILLIAM B. SHUBB  
9 UNITED STATES DISTRICT JUDGE

10  
11  
12  
13  
14 12/kjel1283.800  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28